

MESSAGE NO: 3183304

MESSAGE DATE: 07/02/2013

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-891

EFFECTIVE DATE: 05/24/2004

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on hand trucks and certain parts thereof from the People's Republic of China (A-570-891)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Ace Hardware Corporation (Ace). Commerce issued a final scope determination on 06/14/2013 that Ace's Ace Trading Luggage Cart which Ace imports is not within the scope of the antidumping duty order on hand trucks and certain parts thereof from the People's Republic of China (A-570-891).

2. Commerce determined that Ace's Ace Trading Luggage Cart is outside the scope of the order because it does not possess a projecting edge or toe plate that slides under a load for purposes of lifting and/or moving the load. Ace's Ace Trading Luggage Cart lacks a defining characteristic of subject hand trucks and is, therefore, not within the scope of the antidumping duty order on hand trucks and certain parts thereof from the People's Republic of China.

3. For all entries of Ace's Ace Trading Luggage Cart not within scope that remain unliquidated on or after 05/24/2004, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits and release any bonds relating to the Ace Trading Luggage Cart described above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the Ace Trading Luggage Cart entered, or withdrawn from warehouse, for consumption on or after 05/24/2004.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not

applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of hand trucks and certain parts thereof from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:DS.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party